

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEXTER E . DALE,)	No. C 05-1842 JSW (PR)
Plaintiff,)	ORDER REGARDING SERVICE OF
v.)	DEFENDANT LOUGH
L. FERNANDEZ AND L.)	
LOUGH.,)	
Defendants.)	

Plaintiff, a prisoner of the State of California, currently incarcerated at the Correctional Training Facility in Soledad, California, filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983, complaining of deliberate indifference to his serious medical needs. On February 27, 2007, the Court denied summary judgment as to Defendant Fernandez and ordered the Clerk to request a forwarding address for Defendant Nurse L. Lough from the Legal Affairs Department of the California Department of Corrections and Rehabilitation (“CDCR”) so that the Court could order a further attempt at service by the United States Marshal (“USM”) (docket no. 19). Plaintiff had previously provided the Court with an address for Defendant Lough at the Correctional Training Facility (“CTF”) in Soledad, California, but after the USM attempted to serve Lough, Plaintiff and the Court were informed that Defendant Lough no longer worked at that facility.


In response to this recent request, the Legal Affairs Department of CDCR has informed the Court that CTF does not have any record of which of the more than forty

1 nursing registries used by that prison Defendant Lough came from. As a result, they
2 cannot provide a forwarding address for her because they do not have one. *See*, docket
3 no. 20.

4 Federal Rule of Civil Procedure 4(m) contemplates that service of process
5 normally will be accomplished within four months of the filing of the complaint.
6 Although the Court can have the USM serve process on a named defendant, it is the
7 plaintiff's responsibility to provide a current address for each defendant to be served.
8 Plaintiff therefore must provide a current address for Defendant Lough so that Lough can
9 be served with process. Plaintiff must provide to the Court no later sixty days from the
10 date of this order a service address for Defendant Lough. If Plaintiff does not provide an
11 address for Lough, or the Marshal is unable to serve process on Lough using any further
12 information Plaintiff does provide, Lough will be will be dismissed without prejudice
13 from this action. *See* Fed. R. Civ. P. 4(m); *Walker v. Sumner*, 14 F.3d 1415, 1422 (9th
14 Cir. 1994).

15 IT IS SO ORDERED.

16 DATED: May 3, 2007

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18 JEFFREY S. WHITE
United States District Judge